

Minutes from Environmental Meeting
Thursday, April 3, 1986

Attendees: Nate Edelstein Attorney
Dan Raviv Hydrologist
John Walenten
George Napack
George Chryst

PURPOSE: Discussion of the written response to the NJPDES draft permit issued by NJDEP and the determination of a course of action.

DEP has not issued a response to our written commentary. Dan Raviv has his staff investigating the NUODEX ECRA information and had nothing specific to report except that the DEP was very concerned about the "Black Material" in the culvert under Industrial Highway. It was Nate Edelstein's feeling that the DEP could respond immediately to our written comments or it could take as long as 6 months. He would probe this matter further during the week of 7, April.

A general discussion on strategy developed and it became clear that some specific direction was necessary. Accordingly, the following action plan was established:

"BLACK MATERIAL" EVALUATION

1. Hatco would make arrangements to take samples of this effluent for preliminary evaluation in order to get an idea as to what it was and what its source might be. It was understood that this would be an informal program designed to give us a feel of what was occurring.

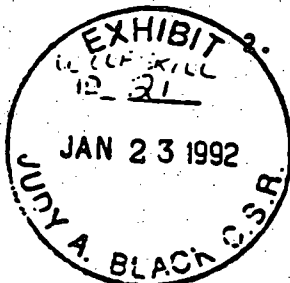
Dan Raviv will conduct a professional sampling of this dark colored effluent insuring that all methods, techniques and custodial requirements are met. Samples would be sent to qualified laboratories for a determination of what this material is. Raviv would inspect the site to determine the potential source and advise on specific remedial measures. Coincidental with the sampling procedure, Raviv would also sample and analyze our MCUA effluent stream so that specific differentiation could be determined between the "black material" and our usual organic waste.

3. Timing-week of 7, April. Coordination with John Walenten.

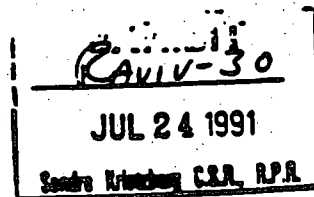
SAMPLING OF EXISTING WELLS

1. Pursuant to the current administrative consent order, we were required to sample existing wells in the first quarter of 1986. It was agreed that the draft NJPDES permit would not be construed to take the place of the current administrative consent

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order. Therefore, Dan Raviv would immediately proceed with the sampling requirements.

2. In conjunction with this project, Raviv will also survey all existing wells on the Hatco site and provide his professional opinion on ground water directional flow.
3. Timing-week of 7, April. Coordination with John Walenten.

NUODEX ECRA *in link*

1. Raviv and his staff will complete the search of the DEP records to obtain all relevant information, summarize and provide a professional opinion on its meaning.
2. Timing is immediate; coordination with John Walenten.

MCUA EFFLUENT DISCHARGE LINE BREAKS

1. During the construction of Industrial Highway, our sewer line was broken several times. It is important that a complete documentation of these events be made including interviews with all involved Hatco personnel.
2. Further, a listing of all outside agencies and contractors be made and each advised that Hatco will hold them responsible for any and all liability relating to the breaks. Hatco must advise appropriate insurance carriers of the specifics relating to the line breaks and the potential liability.
3. Responsibility-John Walenten with assistance from Jeff Weiss.

POND CLOSINGS *SW documents*

1. When Hatco was part of Grace, settling ponds were used as part of the plant effluent disposal system. These ponds were formally closed with DEP sanction. The current NJ permit requires that certain wells be installed where these ponds were located. Hatco's position is that the ponds were officially closed and therefore, should not be an issue. Nate Edelstein feels that specific documentation should be prepared relating to this matter to support our argument.
2. Responsibility-John Walenten.

PHOTOGRAPHS *2 yr. until re-run*

1. Nate Edelstein feels that an aerial photo surveillance should be made of the Hatco site and all surrounding areas, specifically the NUODEX properties. He recommends a Dan McDonough who has done work for him before. Mr. McDonough can be reached at 201-420-1056.

*3 missing pictures
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2. Also, detailed photographs of the Hatco site should be made to record existing facilities such as lagoon, streams, etc. *also have Crane, Inc. Creek*
3. Responsibility-John Walenten.

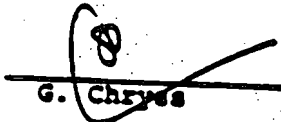
ALTERNATIVES TO SOIL REMOVAL

1. John Walenten is to examine all alternatives to removing contaminate soil from the lagoon, such as encapsulation, etc.
2. Based on Mr. Edelstein's experience, he feels that if the Hatco lagoons are contaminated, there is absolutely no way that they can be used even for emergencies and further, we would be required to go through a formal closure process. John Walenten should assess preliminary costs.

LEGAL

1. It was understood that as part of our overall strategy, Hatco should always be prepared to litigate against W.R. Grace. Nate Edelstein would concentrate on determining the liability of Grace and will be responsible for developing the foundation for our strategy in this connection.
2. Another tennent of our underlying strategy is that the NJPDES permit process is not the proper vehicle to be used by the DEP to address its concerns relating to the environmental problems at Hatco or their impact on NUODEX. Nate Edelstein will use this strategic philosophy as a foundation for all discussions and tactical planning with the DEP.

The next meeting was tentatively scheduled for 9:30 AM, 8, May, 1986 at Hatco offices.


G. Chryes

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